

EXHIBIT 17

Rough Transcript

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ROUGH TRANSCRIPT
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
-----X
AUSTIN FENNER and IKIMULISA LIVINGSTON,

Plaintiffs,
-against-

09 Civ. 9832
(BSJ) (RLE)
NEWS CORPORATION, NYP HOLDINGS, INC., d/b/a
THE NEW YORK POST and DAN GREENFIELD and
MICHELLE GOTTHELF,

Defendants.
-----X

VIDEOTAPED DEPOSITION OF IKIMULISA LIVINGSTON
New York, New York
Friday, January 13, 2012

REPORTED BY: BARBARA R. ZELTMAN
(BOBBIE)
Professional Stenographic Reporter

Job Number: 45412

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1 IKIMULISA LIVINGSTON

2 Corporation?

3 A I'm an employee of New York Post
4 and News Corp.

5 Q Does your paycheck come from News
6 Corporation?

7 A I actually haven't seen my paycheck
8 in a while. I don't know what it says
9 exactly.

10 Q Well, what's the basis for your
11 belief that you are an employee of News
12 Corporation?

13 A The New York Post and News Corp.
14 are the same. We're in the same building.
15 News Corp. and New York Post is
16 located at 1211 Sixth Avenue.

17 My statements every year that state
18 the benefits I receive, they come in -- it's
19 a folder and it says "News Corporation." My
20 evaluations came in an envelope that said
21 "News Corp."

22 MS. LOVINGER: I'm going to
23 show you a document that's been
24 marked as Livingston Exhibit 16, and
25 it's actually series of documents

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1 IKIMULISA LIVINGSTON

2 Bates stamped IL-7139, IL-7138,
3 IL-7132, IL-7136, IL-1624, IL-1584,
4 and IL-1535.

5 (Livingston Exhibit 16, Series
6 of documents, Bates Numbers
7 IL-7139, IL-7138, IL-7132, IL-7136,
8 IL-1624, IL-1584 and IL-1535, was
9 marked for Identification.)

10 BY MS. LOVINGER:

11 Q Ms. Livingston, on these documents,
12 there's a section that states "Employer's
13 name, address and zip code."

14 Do you see that?

15 A I'm sorry? Which page?

16 Q Well, all of these documents, just
17 for the record, are copies of your W2s and
18 earning statements that reflect your
19 employment with the New York Post.

20 So directing your attention to --
21 let's look at IL-7132.

22 Actually this is another job you
23 held.

24 I'm sorry.

25 Let's look at IL-7138.

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1 IKIMULISA LIVINGSTON

2 Do you see the employer's name in
3 the box there where it says "NYP Holdings,
4 Inc."?

5 A Yes, I do.

6 Q And NYP Holdings, Inc. refers to
7 the New York Post; is that right?

8 A NYP Holdings, I suppose it refers
9 to the Post, but it also has the address for
10 News Corp. It's the same place.

11 Q Your court Complaint actually
12 references as a defendant NYP Holdings, Inc.
13 d/b/a New York Post.

14 Are you aware of that?

15 Your Complaint in litigation?

16 A Right. I understand what you are
17 saying.

18 Q Have you ever worked on any floor
19 at 1211 Avenue of the Americas other than
20 the 10th floor?

21 A When I actually had space in the
22 office, yes, it was on the 10th floor. It
23 was always on the 10th floor.

24 Q Directing your attention to the
25 document that's Bates stamped IL-1584 in

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1 IKIMULISA LIVINGSTON

2 front of you, it's the second-to-last page.

3 You see on the top left where it
4 says "New York Post"?

5 A Yes, I see that.

6 Q And likewise on the last document,
7 Bates stamped IL-1535, your earning
8 statement from -- an earning statement from
9 December 2010, it also says "New York Post."

10 Do you see that?

11 A I do see that.

12 Q So you now agree that your paycheck
13 comes from the New York Post?

14 A My paycheck comes from it -- says
15 here "New York Post," which is also News
16 Corp.

17 Q Does it say "News Corp." on the
18 documents you are looking at?

19 A On this document? I do not --

20 Q On any of the documents in your
21 hand, does it say "News Corporation"?

22 A I don't see anything in here in
23 these documents that says "News Corp." Was
24 that your question?

25 Q Yes.

78 (Pages 306 to 309)